

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE
COUNCIL, INC., and PUBLIC CITIZEN, INC.,

Plaintiffs,

v.

U.S. CONSUMER PRODUCT SAFETY
COMMISSION,

Defendant.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 4/7/09
DATE FILED 4/7/09

: **STIPULATION AND ORDER
REGARDING ATTORNEYS'
FEES AND COSTS**

: 08 Civ. 10507 (PGG)

:

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The parties to the above-captioned action, by their undersigned representatives,
hereby agree as follows:

1. The United States will pay to plaintiffs the sum of \$78,000 in attorneys' fees and litigation costs (\$77,333 in fees and \$667 in costs). Plaintiffs and defendant agree that this sum constitutes a full and complete settlement of any claims by plaintiffs for attorneys' fees and litigation costs in connection with this action under any provision of law that plaintiffs assert or could have asserted to recover fees and costs in this action.

2. Nothing in this Stipulation and Order shall constitute an admission that defendant, or its agents, servants or employees, are liable for any attorneys' fees or litigation costs, or that defendant's position was not substantially justified. This Stipulation and Order is entered into by both parties for the sole purpose of compromising disputed claims and avoiding

the expenses and risks of litigation concerning attorneys' fees and litigation costs.

NATURAL RESOURCES DEFENSE
COUNCIL, INC.

Attorney for Plaintiffs

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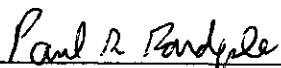
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SO ORDERED.

Dated: New York, New York

April 7, 2009



HON. PAUL G. GARDEPHE